

1 **COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C §§ 1983**

2 Name Hernández Eduardo A.  
3 (Last) (First) (Initial)

4 Prisoner Number J-37244

5 Institutional Address 5905 Lake Earl Dr., P.O. Box 7500  
6 Crescent City, California 95532

7 **UNITED STATES DISTRICT COURT**  
8 **NORTHERN DISTRICT OF CALIFORNIA**

9 EDUARDO HERNÁNDEZ  
10 (Enter the full name of plaintiff in this action.)

11 Plaintiff, vs.

12 J. BEARD; M. CATE; R.E. BARNES; G.D. LEWIS;  
13 C. DUCART; G.W. OLSON; T. WOODS; F. VANDERHOOFEN;  
14 R. TURY; T. CABRERA; R. PRESLER; R. BUTCHER; D. YANG;  
15 J. CLEMONS; T. OSTEN; S. NAKAMURRA; LENTZ;  
16 M. CREEDE; M. MCLEAN; R. PIECHAND DOES 1-20,  
17 (Enter the full name of the defendant(s) in this action)  
18 INCLUSIVE, DEFENDANTS.

CV 13 5633

Case No. 13 5633  
(To be provided by the Clerk of Court)

19 **COMPLAINT UNDER THE  
CIVIL RIGHTS ACT,  
Title 42 U.S.C § 1983**

(PR)

20 *[All questions on this complaint form must be answered in order for your action to proceed.]*

21 I. Exhaustion of Administrative Remedies.

22 [Note: You must exhaust your administrative remedies before your claim can go  
23 forward. The court will dismiss any unexhausted claims.]

24 A. Place of present confinement Pelican Bay State Prison, Crescent City, CA.

25 B. Is there a grievance procedure in this institution?

26 YES  NO

27 C. Did you present the facts in your complaint for review through the grievance  
28 procedure?

29 YES  NO

30 D. If your answer is YES, list the appeal number and the date and result of the  
31 appeal at each level of review. If you did not pursue a certain level of appeal,  
32 explain why.

1        1. Informal appeal SEVERAL, Fully EXHAUSTED  
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5        2. First formal level        "        "  
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8        3. Second formal level        "        "  
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11        4. Third formal level        "        "  
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E. Is the last level to which you appealed the highest level of appeal available to  
you?

15        YES         NO

16        F. If you did not present your claim for review through the grievance procedure,  
17 explain why.  
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20        II. Parties.

21        A. Write your name and your present address. Do the same for additional plaintiffs,  
22 if any.

23        Eduardo A. Hernández #J-37244

24        DIO/121 P.B.S.P/S.H.U

25        P.O. BOX 1500  
Crescent City, CA 95532

SEE ATTACHED

COMPLAINT  
PAGES 2-5 paragraphs  
5-24

26        B. Write the full name of each defendant, his or her official position, and his or her  
27 place of employment.

28        SEE ATTACHED COMPLAINT; PAGES 2-5 paragraphs 5-24

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III. Statement of Claim

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State here as briefly as possible the facts of your case. Be sure to describe how each defendant is involved and to include dates, when possible. Do not give any legal arguments or cite any cases or statutes. If you have more than one claim, each claim should be set forth in a separate numbered paragraph.

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IV. Relief

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Your complaint cannot go forward unless you request specific relief. State briefly exactly what you want the court to do for you. Make no legal arguments; cite no cases or statutes.

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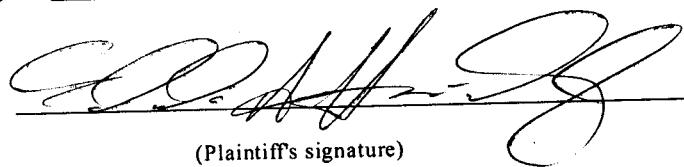
~~SEE ATTACHED COMPLAINT: ~~FACTS PAGES 7-28 PARAGRAPHS 18-19~~~~

~~X. PRAYER FOR RELIEF PAGES 30-33~~

1 SEE ATTACHED COMPLAINT: IX. PRAYER FOR RELIEF PAGES 30-33.  
2  
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5 I declare under penalty of perjury that the foregoing is true and correct.  
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8 Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_  
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11 (Plaintiff's signature)  
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